

Remarks

I. Claim 12 Objection. Independent claim 12 stands objected to because “removable” should be - - removably - -. In response, claim 12 has been amended to make the required change.

II. Claim Rejections -- 35 USC §102. Claim 1 stands rejected under 35 U.S.C. 102 as being anticipated by Boshears (5,875,737). This rejection is not traversed. However, claim 1 has been amended as described in Section IV below to render it allowable along with properly dependent claims 2-8.

III. Claim Rejections -- 35 USC §103.

Boshears in view of Udelle. Claims 1-8 and 13 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Boshears (5,875,737) in view of Udelle (5,595,141). This rejection is not traversed. However, claim 1 has been amended as described in Section IV below to render it allowable along with properly dependent claims 2-8.

Steward in view of Berkovich. Claims 1 and 2 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Steward et al. (6,345,593) in view of Berkovich (5,103,770). This rejection is not traversed. However, claim 1 has been amended as described in Section IV below to render it allowable along with properly dependent claim 2.

IV. Allowable Subject Matter. The Office Action allows claim 12 and identifies Claims 9-11 as allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. In response, the following amendments have been made:

A. Allowable claim 9 has been amended to include the limitations of original base claim 1 and the only intervening claim, claim 2. As a result, amended claim 9 is now in independent form and allowable.

B. Independent base claim 1 has been amended to include the limitations of allowable claim 10, there being no intervening claims, and claim 10 has been canceled. As a result, amended independent claim 1 is now allowable along with properly dependent claims 2-8.

C. Allowable claim 11 has been amended to include the limitations of original base claim 1, there being no intervening claims. As a result, claim 11 is now in independent form and allowable.

D. Independent claim 13 has been amended to include limitations of original claim 11. As a result, claim 13 is now allowable.

E. Newly presented claims 14 and 15 have been added to emphasize that the invention is not limited to use as a cat toy and may function as a hunting decoy (as mentioned in paragraph [26.00] of the Specification and in the Abstract), and to removed unneeded limitations of “radially outwardly,” “rigid,” and “about the motor-supporting structure” that appear in various ones

of the other claims, claim 14 being similar in some respects to currently amended claim 1 and claim 15 being similar in some respects to currently amended claim 11.

IV. Reexamination and Allowance. In view of the foregoing, currently amended claims 1, 9, 11, 12, and 13 (independent) are now allowable together with properly dependent claims 2-8 and newly presented independent claims 14 and 15. Notification to that effect is requested. Reexamination and allowance are requested.